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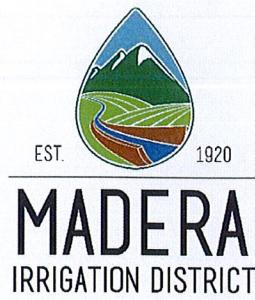
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Board of Directors

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David Loquaci

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Division 3

Brian Davis

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James Erickson

Division 5

Carl Janzen

February 1, 2019

VIA EMAIL

MuckRock News
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411A Highland Avenue
Somerville, MA 02144-2516
67248-20258486@requests.muckrock.com

Re: Response to January 10, 2019 Public Records Request

Dear Zaynab Shukriyya,

I am writing in response to your January 10, 2019 request for records, pursuant to the California Public Records Act, directed to Madera Irrigation District (the “District”), which the District received on January 10, 2019 (the “PRA Request”).

The following is a response to each request for records contained in the PRA Request:

Request No. 25: Meeting handouts, presentation slides and sign-in sheets from the November 5, 2018 MID Special Board Meeting.

The District has documents responsive to Request No. 25, and those documents will be made available.

Request No. 26: Meeting handouts, presentation slides and sign-in sheets from the May 19, 2011 Special Board of Directors Meeting.

The District has documents responsive to Request No. 26, and those documents will be made available. Please note these are the same responsive documents are Request No. 28.

Request No. 27: Meeting handouts, presentation slides and sign-in sheets from the March 10, 2011 Madera Irrigation District Board of Directors Special Meeting

Please refer to responsive documents provided for Request #4.

Request No. 28: Meeting handouts and presentation slides from the “May 19, 2011 riparian workshop.” This is per page 40 of the ANNUAL REPORT 2010-2011 FRESNO RIVER OPERATIONS.

The District has documents responsive to Request No. 28, and those documents will be made available. Please note these are the same responsive documents for Request No. 26.

Request No. 29: Meeting handouts, presentation slides and sign-in sheets from the “riparian workshop meeting (2/18/2011)” (per page 40 of the ANNUAL REPORT 2010-2011 FRESNO RIVER OPERATIONS).

The District has documents responsive to this request, and those documents will be made available.

Request No. 30: Meeting handouts, presentation slides and sign-in sheets from the February 3, 2015 Special Meeting of Madera Irrigation District Board of Directors.

Please refer to responsive documents provided for Request No. 5.

Request No. 31: The “On-Call Engineering Services Status Report dated December 11, 2007” per Page 7 of the minutes of the December 18, 2007 Madera Irrigation District Board of Directors Meeting.

The District has made multiple attempts to locate the On-Call Engineering Services Status Report and has been unable to locate in the District’s archives.

Request No. 32: For years 2011 through 2017 a copy of the letters mailed out “to all riparian users by the end of October requesting submittals of cropping patterns and acreage maps” per 6.2 1 on page 9 of the FRESNO RIVER OPERATIONS PROTOCOLS. Please also include the request letters mailed to appropriative right holders.

The District has documents responsive to Request No. 32, and those documents will be made available.

Request No. 33: For years 2011 through 2018 please provide a transparent accounting of the various water right flows in the river and Hensley Lake storage including USBR License 13836 (CVP Project), MID’s pre-1914 rights, riparian rights, and appropriative rights. This is per section 8 on page 11 of FRESNO RIVER OPERATIONS PROTOCOLS.

Under the Public Records Act, the District is only obligated to produce documents for inspection upon a request that “reasonably describes an identifiable record.” (Govt. Code, § 6253, subd.

(b.). Your request for “transparent accounting of the various water flows,” does not reasonably describe an identifiable record.

Request No. 34: A copy of the “operating agreement entered into by the USBR and MID” in which the USBR has turned over” management of conservation storage at Hidden to MID.” This is per section 2.4 on page 3 of FRESNO RIVER OPERATIONS PROTOCOLS

The District has documents responsive to Request No. 34, and those documents will be made available.

Request No. 35: A copy of the “1916 Madera Superior Court Judgement.” This is per section 2.1 on page 2 of FRESNO RIVER OPERATIONS PROTOCOLS.

The District has documents responsive to Request No. 35, and those documents will be made available. Please note these are the same responsive documents for Requests No. 45 and No. 48.

Request No. 36: For years 2011 through 2018: Please provide a copy of an email or letter from each year that notifies “all riparians of an annual riparian kick-off workshop to be held at MID at the start of February.” Please provide a copy of at least one sample email or letter from each year. This is per 6.2 3 on page 10 of FRESNO RIVER OPERATIONS PROTOCOLS. Alternatively, please let me know which year(s) the Madera Irrigation District did not hold an annual riparian kick-off workshop.

The District has documents responsive to Request No. 36, and those documents will be made available.

Request No. 37: A copy of the “analysis satisfactory to the Deputy Director of Water Rights” per Page 4 of 7 of APPLICATION 18733 PERMIT 16584 LICENSE 13836

The District has documents responsive to Request No. 37, and those documents will be made available.

Request No. 38: USBR map Drawing No. 214-202-93 dated April 18, 2011 filed with the State Water Board per Page 3 of 7 of APPLICATION 18733 PERMIT 16584 LICENSE 13836

The District has documents responsive to Request No. 38, and those documents will be made available.

Request No. 39: The “study by Kienlen (1980)” per section 5.4 of the FRESNO RIVER OPERATIONS PROTOCOLS.

The District has documents responsive to Request No. 39, and those documents will be made available. Please note these are the same responsive documents for Request No. 40.

Request No. 40: The following report: “Murray, Burns & Kienlen, Inc. (1980) Preliminary Report, Fresno River Water Rights.”

The District has documents responsive to Request No. 40, and those documents will be made available. Please note these are the same responsive documents for Request No. 39.

Request No. 41: Contents of “F:\ENGINEERING\Riparian\FRAM\FRAM MODEL RUNS” as of 10/16/2018.

Under the Public Records Act, the District is only obligated to produce documents for inspection upon a request that “reasonably describes an identifiable record.” (Govt. Code, § 6253, subd. (b).) Your request for “all contents of a particular file directory” is overbroad, and does not reasonably describe an identifiable record.

Request No. 42: Contents of “F:\ENGINEERING\Riparian\GIS\WJH Mapping\” as of 10/16/2018.

Under the Public Records Act, the District is only obligated to produce documents for inspection upon a request that “reasonably describes an identifiable record.” (Govt. Code, § 6253, subd. (b).) Your request for “all contents of” a particular “file directory” is overbroad, and does not reasonably describe an identifiable record.

The documents are also not disclosable under Section 6254(k) of the Government Code, as the disclosure of such records “is exempted or prohibited pursuant to federal or state law, including, but not limited to, the provisions of the Evidence Code relating to privilege.” (See also Code Civ. Proc., § 2018.020, subds. (a), (b); Govt. Code, §6254, subd. (k); *Fairley v. Superior Court* (1998) 66 Cal.App.4th 1414, 1420-22.)

Request No. 43: The Madera Irrigation District’s “current policy regarding payment schedule for new turnouts” as of February 7, 2017 per the February 7, 2018 Madera Irrigation District Board of Directors Meeting minutes.

Please note the District did not have a Board Meeting on February 7, 2017 or February 8, 2018. However, the District has documents responsive to Request No. 43 and Request No. 44 and those documents will be made available.

Request No. 44: The Madera Irrigation District’s current policy regarding payment schedule for new turnouts as of 10/16/2018.

The District has documents responsive to Request No. 43 and Request No. 44 and those documents will be made available.

Request No. 45: Please provide a copy of the two decrees. I am referring to the “1905 and 1916 Decrees from (1) Big Creek, which is a tributary to the Merced River, and (2) North Fork Willow Creek, which is a tributary to the San Joaquin River.” This is per Richard Satkowski’s July 12, 2010 letter regarding LICENSING INSPECTION REPORT AND PROPOSED DRAFT LICENSE FOR U.S. BUREAU OF RECLAMATION PERMIT 16584 (APPLICATION 18733) ON THE FRESNO RIVER IN MADERA COUNTY.

The District has documents responsive to Request No. 45, and those documents will be made available. Please note the 1916 decree is Request Nos. 35, 45, and 48.

Request No. 46: The “MID Drawing No. D-376” mentioned on page 2 of REPORT OF INSPECTION, APPLICATION 18733.

The District has documents responsive to this request, and those documents will be made available.

Request No. 47: The “2007 crop report” mentioned on page 5 of REPORT OF INSPECTION, APPLICATION 18733.

The District has documents responsive to this request, and those documents will be provided.

Request No. 48: A copy of the Madera Superior Court Decision/Judgment No. 687, 167 Cal 79 (1916) which adjudicated Madera I.D.’s pre-1914/prescriptive/decreed rights to the Fresno River (mentioned on page 7 of REPORT OF INSPECTION, APPLICATION 18733).

The District has documents responsive to this request, and those documents will be made available. Please note the 1916 decree is Request Nos. 35, 45, and 48.

Request No. 49: The “Division’s June 3, 2009 letter” mentioned on page 8 of REPORT OF INSPECTION, APPLICATION 18733.

Request Nos. 49 and 50 are for the same documents. The District has documents responsive to this request, and those documents will be made available.

Request No. 50: The “Division of Water Rights letter dated June 3, 2009” mentioned on page 8 of APPLICATION 18733, REPORT OF INSPECTION.

Request Nos. 49 and 50 are for the same documents. The District has documents responsive to this request, and those documents will be made available.

Request No. 51: A copy of all “agreements reached with owners of downstream rights to the flow of the Fresno River” per Page 4 of 7 of APPLICATION 18733

PERMIT 16584 LICENSE 13836. Please provide a copy of all agreements reached as of the date of this request.

The District has documents responsive to this request, and those documents will be made available.

Request No. 52: A copy of the USBR report per page 11 of REPORT OF INSPECTION, APPLICATION 18733: “2. The USBR shall submit to the SWRCB within six months of final SWRCB action in this proceeding a report that details how the USBR is calculating the releases required to satisfy the Harmans’ and Menefee River Ranch’s rights.”

The District does not have documents responsive to the request. Please contact the United States Bureau of Reclamation for their report.

Request No. 53: A copy of the “revised agreement” or “explanation” per page 11 of REPORT OF INSPECTION, APPLICATION 18733: “3. The USBR shall submit to the SWRCB within six months of final SWRCB action in this proceeding either a revised agreement for the supply of water to Triangle T Ranch in satisfaction of its prior rights, or an explanation how the USBR intends to ensure that water is not delivered to Triangle T Ranch in violation of the USBR’s permit.”

The District does not have documents responsive to the request. Please contact the United States Bureau of Reclamation for their report.

Request No. 54: The spreadsheet entitled “Fresno River Model 99-001-R-1-A” per page 11 of APPLICATION 18733, REPORT OF INSPECTION. Please provide the actual functional Excel file as opposed to a PDF or printout.

The District has made multiple attempts to locate the Fresno River Model 99-001-R-1-A and has been unable to locate in the District’s archives.

Request No. 55: The “Division letter dated 9/19/2001” per page 11 of REPORT OF INSPECTION, APPLICATION 18733.

The District has made multiple attempts to locate the Division letter dated 9/19/2001 and has been unable to locate in the District’s archives.

Request No. 56: The “February 8, 2008 letter to the Division” per page 11 of REPORT OF INSPECTION, APPLICATION 18733.

The District has made multiple attempts to locate the February 8, 2008 letter to the Division and has been unable to locate in the District’s archives.

Request No. 57: The “File letter dated January 18, 2010” per footnote 23 on page 11 of REPORT OF INSPECTION, APPLICATION 18733.

The District has documents responsive to Request No. 57 and those documents will be made available.

Request No. 58: Please provide a copy of the April 1, 2010 “Attachment 7,” “Fresno River Model Run Assumptions” per page 17 of REPORT OF INSPECTION, APPLICATION 18733. If updates have been made to the Fresno River Model Assumptions since April 1, 2010 please also provide a copy of the updated Fresno River Model Run Assumptions.

The District has documents responsive to Request No. 58 and those documents will be made available.

Request No. 59: The riparian crop patterns used for entitlement calculations for the years 2007, 2008, 2009 and 2010 for Adobe, Costa, Cosyns, DaSilva, DeBenedetto, Harman, Herman, Isla Vista, Kirk Parrish, Madera Thoroughbreds, Menefee, Mesple, Rancho Bella Vista, and Triangle T.

The District does not have any documents responsive to Request No. 59.

Request No. 60: The “computer analysis of the water rights on the Fresno River” which was “distributed to the three major landholders on the Fresno River” per Page 2 of the minutes of the September 16, 1980 Madera Irrigation District Board of Directors Meeting.

The District has made multiple attempts to locate the computer analysis reference in the September 16, 1980 minutes and has been unable to locate in the District’s archives.

Request No. 61: A complete copy of Resolution No. 7562 per the minutes of the July 7, 1970 Madera Irrigation District Board of Directors Meeting.

The District has documents responsive to Request No. 61 and those documents will be made available.

Request No. 62: A digital copy of the two PDF and the one XLS file attached to the Fri 3/11/2011 4:03:54 PM email from Kevin Long to Jeanne Zolezzi. Please provide the actual digital files originally transmitted, not a scan, print, or modified file.

The District does not have any documents responsive to this request. The only document the District has is the document provided in Request No. 23.

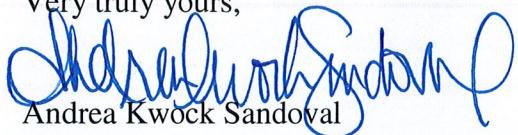
Request No. 63: A copy of any submittals received regarding the September 11, 2017 "REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR PROFESSIONAL WRITING SERVICES FOR THE MADERA IRRIGATION DISTRICT HISTORY BOOK."

The District has documents responsive to Request No. 63 and those documents will be made available.

Please remit payment to the District in the amount of \$44.19, which includes Fed Ex 2-day shipping. Upon receipt of payment in full, the District will provide copies on DVDs of the responsive documents subject to disclosure and provide a Fed Ex tracking number. (Govt. Code, § 6253, subd. (b).)

If you have any questions regarding the above, please contact the District's counsel, John P. Kinsey, at (559) 233-4800.

Very truly yours,



Andrea Kwock Sandoval

cc: John P. Kinsey